IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO. 538 OF 2004.

The Commissioner of Income-tax,
Mumbai. ... Appellant.

V/s.

M/s.Bhagwandas Vishwanath,
Mumbai. ... Respondent.

A.S.Rao for the appellant.

CORAM : V.C.DAGA AND J.P.DEVADHAR, JJ.

DATED : 17th July 2006.

P.C. :

. On the motion made by learned counsel for the appellant, appellant-Revenue is allowed to withdraw this appeal. Appeal is, accordingly, dismissed as withdrawn with no order as to costs.

. Needless to mention that the appellant-Revenue is entitled to refund of court fee as per law.

(J.P.DEVADHAR, J.) **(V.C.DAGA J.)**